

Message Text

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ACTION NEA-10

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L-03 NSAE-00 NSC-05 PA-01 PRS-01 SP-02 SS-15

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FM AMEMBASSY COLOMBO

TO SECSTATE WASHDC 7369

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E.O. 11652: N/A

TAGS: SHUM, CE

SUBJ: REPUBLIC DAY AMNESTY: DEATH SENTENCES COMMUTED

REF: COLOMBO 902

1. IN COMMEMORATION OF SRI LANKA'S FIFTH REPUBLIC DAY, THE PRESIDENT ISSUED A PROCLAMATION OF A WIDE-RANGING AMNESTY, WHICH IN VARYING DEGREES AFFECTED ALMOST ALL PRISONERS IN SRI LANKA. MOST NOTABLE WERE THE CASE OF THE 152 PERSONS WHO HAD BEEN UNDER DEATH SENTENCES; THEY WERE INSTEAD GIVEN LIFE IMPRISONMENT. VIRTUALLY ALL OTHER PRISONERS WERE GIVEN A THREE-WEEK REMISSION FOR EVERY YEAR THEY HAD SERVED IN PRISON. THE FEW PRISONERS SERVING ONLY SENTENCES OF SIMPLE (AS OPPOSED TO RIGOROUS) IMPRISONMENT WERE RELEASED OUTRIGHT. IN ALL, ABOUT 600 PRISONERS WERE RELEASED, MOSTLY BECAUSE THE REMISSIONS BROUGHT THEM TO THE END OF THEIR SENTENCES.

2. ABOUT FIVE OF THE DEATH SENTENCE COMMUTATIONS WENT TO THOSE CONVICTED OF CRIMINAL OFFENSES DURING THE INSURGENCY. THIS LEAVE NO ONE CURRENTLY UNDER A DEATH SENTENCE FOR INSURGENT ACTIVITIES (OR FOR ANY OTHER OFFENSE, FOR THAT MATTER) AND MEETS ONE OF THE DEMANDS OF THE VARIOUS NEO-INSURGENT

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POLITICAL GROUPS (REFTEL). THE THREE-WEEK PER YEAR REMISSIONS OF SENTENCES WERE ALSO GIVEN TO JAILED INSURGENTS. (ANOTHER MORE COMPREHENSIVE CONCESSION WAS RECEIVED BY IMPRISONED INSURGENTS LAST DECEMBER WHEN THEY, LIKE OTHER PRISONERS, WERE ALLOWED THE PRIVILEGE OF HAVING UP TO ONE-THIRD OF THEIR SENTENCE REMITTED FOR GOOD BEHAVIOR.)

3. UNDER THE TERMS OF THE AMNESTY, SRI LANKA'S MOST FAMOUS PRISONER, ROHAN WIJEWEERA (LEADER OF THE 1971 INSURGENTS) RECEIVED NINE WEEKS OFF HIS 20-YEAR SENTENCE (ALTHOUGH LAST DECEMBER'S CONCESSION WOULD HAVE EARNED HIM A POTENTIAL 6-2/3 YEARS OFF FOR GOOD BEHAVIOR). ANOTHER PROMINENT INMATE, FOREIGN EXCHANGE VILATER C. SATHANANTHAN (SON-IN-LAW OF EX-GOVERNOR-GENERAL SIR OLIVER GOONETILLEKE) WAS NEARING THE END OF HIS TERM AND WAS RELEASED ABOUT FIVE WEEKS EARLY AS A RESULT OF THE AMNESTY.

4. ALTHOUGH SUCH AMNESTIES ARE NOT UNUSUAL ON REPUBLIC DAY (AND FORMERLY, ON THE QUEEN'S BIRTHDAY), THIS YEAR'S IS THE MOST COMPREHENSIVE IN THE RECENT PAST. IT WAS PLANNED AND CARRIED OUT BY NIHAL JAYAWICKREMA, SECRETARY TO THE MINISTRY OF JUSTICE, WHO HAS STATED THAT HE IS PHILOSOPHICALLY OPPOSED TO THE DEATH PENALTY (WHICH WAS SUSPENDED IN SRI LANKA IN 1956 BUT BROUGHT BACK AFTER THE ASSASSINATION OF PRIME MINISTER S.W.R.D. BANDARANAIKE IN 1959). JAYAWICKREMA TOLD AN EMBASSY OFFICER THAT THIS YEAR'S BROAD AMNESTY WAS IN KEEPING WITH MODERN TRENDS IN LAW ENFORCEMENT. JAYAWICKREMA IS EXPECTED TO CONTEST AS A SRI LANKA FREEDOM PARTY CANDIDATE IN MORATUWA CONSTITUENCY AT THE JULY 21 ELECTION.
REED

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